

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 05.03.2019

CORAM:
THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.2139 of 2019 and
Crl.M.P.No. 1347 of 2019

V.Pushphavathi

... Petitioner

Vs.

1.The Assistant Commissioner of Police,
Cyber Crime Cell,
Commissioner Office Campus,
Vepery,
Chennai-600 007.

2.The Inspector of Police,
W-7 AWPS Anna Nagar,
Chennai-600 040.

3.Mr.Natraj

... Respondents

Prayer: Criminal Original Petition filed under section 482 of Criminal Procedure Code, to transfer the investigation of the case in No.11 of 2018 from the file of the 2nd respondent to the 1st respondent, consequently direct the 1st respondent to investigate the case and file a final report in accordance with law within a time frame to be fixed by this Court.

For Petitioner : Mr.D.Geetha

For RR1 &R2 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

सतगमेव जयते
O R D E R

This petition has been filed to transfer the investigation of the case in No.11 of 2018 from the file of the 2nd respondent to the 1st respondent, consequently direct the 1st respondent to investigate the case and file a final report in accordance with law.

2.Heard both sides.

3.It is seen that the petitioner had preferred a complaint before the 2nd respondent police and the same was registered in Crime No.11 of 2018 for the offences under sections 384, 354, 354A, 354C, 354D IPC and Section 67 of the

Information Technology Act, but till date the 2nd respondent police has not initiated any further proceedings against the 3rd respondent.

4.Considering the facts and circumstances of the case, this Court is inclined to transfer the investigation from the file of the second respondent, in respect of Crime No.11 of 2018 for the offences under Sections 384, 354, 354A, 354C, 354D of IPC and Section 67 of the Information Technology Act to the file of the first respondent. Accordingly the Criminal Original petition is allowed.

5.The F.I.R in Crime No.11 of 2018 pending on the file of the second respondent shall be withdrawn and transfer the same to the first respondent for further and proper investigation. On receipt of entire case records, the first respondent is directed to conduct a proper enquiry and complete the investigation in Crime No.11 of 2018 and file a final report within a period of three months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

vsn/vv2

To

1.The Assistant Commissioner of Police,
Cyber Crime Cell,
Commissioner Office Campus,
Vepery,
Chennai-600 007.

2.The Inspector of Police,
W-7 AWPS Anna Nagar,
Chennai-600 040.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.D.Geetha, Advocate, S.R.No.20340

Cr1.O.P.No.2139 of 2019 and
Cr1.M.P.No. 1347 of 2019

BS (CO)
RRS (23/04/2019)